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Situation in Ukraine

Greens/EFA motion for resolution

Tabled by Rebecca Harms, Ulrike Lunacek, Tamás Meszerics, Heidi Hautala, Benedek Jávor, Yannick Jadot, Peter Eriksson, Ernest Maragall, Helga Trüpel, Davor Škrlec, Igor Šoltes on behalf of the Greens/EFA Group

The European Parliament,

– having regard to its previous resolutions on Ukraine, with regard in particular, to those of 27 February 2014 on the situation in Ukraine(1), 13 March 2014 on the invasion of Ukraine by Russia(2), 17 April 2014 on Russian pressure on Eastern Partnership countries and in particular destabilisation of eastern Ukraine(3), 17 July 2014 on the situation in Ukraine(4), and 18 September 2014 on the situation in Ukraine and the state of play of EU-Russia relations(5),

– having regard to the signing on 27 June 2014 of the EU-Ukraine Association Agreement (AA), which includes a Deep and Comprehensive Free Trade Agreement (DCFTA), and to its simultaneous ratification by the European Parliament and the Verhovna Rada on 16 September 2014,

– having regard to the conclusions of the extraordinary meeting of the Foreign Affairs Council on Ukraine of 3 March 2014 and to the conclusions of the Foreign Affairs Council meetings of 17 March 2014, 14 April 2014, 12 May 2014, 23 June 2014, 15 August 2014 and 17 November 2014,

– having regard to the statement of the Heads of State and Government on Ukraine at the European Council meetings of 6 March 2014 and 27 May 2014,

– having regard to the conclusions of the European Council on Ukraine of 21 March 2014, 27 June 2014, 16 July 2014, 30 August 2014 and 18 December 2014,

– having regard to Rule 123(2) of its Rules of Procedure,

A. whereas a rally named ‘The Night of Memory’ was held on Kiev’s Maidan Square on 30 November 2014, marking the anniversary of the brutal dispersal by the Berkut riot police of students who came out to support the European integration of Ukraine against the decision of the then government not to sign the EU-Ukraine Association Agreement; whereas this student demonstration triggered the widespread mobilisation of Ukrainian society in favour of deep and radical democratic reforms that led to the fall of

President Yanukovich;

B. whereas the early general elections that took place on 26 October 2014 were conducted in a peaceful and orderly manner in spite of the ongoing conflict in the eastern regions and the annexation of Crimea by Russia; whereas more than 50 % of the members of the new Verhovna Rada are new and many of them are a direct manifestation of the EuroMaidan movement; whereas the new parliament and government must fulfil the promises stemming from the aspirations of the Ukrainian people who took peacefully to the streets for months, resisting the pressure and the violent repression of the previous regime;

C. whereas on 2 December 2014 the Verhovna Rada voted in favour of the formation of a new government backed by a five-party coalition called 'European Ukraine';

D. whereas the agreement on a ceasefire in eastern Ukraine reached on 5 September 2014 in Minsk by the trilateral Contact Group and followed by the memorandum of 19 September on the implementation of the 12-point peace plan has been constantly violated, mainly by pro-Russia militias, turning the crisis into a lower-intensity conflict that risks to slowly sliding into the status of a frozen conflict; whereas since 9 December 2014, thanks to the initiative of President Poroshenko calling for a 'silence regime', the number of violations has been dramatically reduced; whereas the main points of the memorandum have not been implemented, with regard in particular to the demarcation of the line of contact, the withdrawal of heavy weapons over 15 km on both sides, and the control of the Ukrainian-Russian border by the OSCE's Special Monitoring Mission (SMM); whereas the recent new round of talks between the parties that took place in Minsk on 24 December 2014 failed to achieve concrete results except for the further exchange of hostages;

E. whereas Russia has increased its military and logistical support for the separatist militias through a steady flow of weapons, ammunitions, armoured vehicles and equipment, as well as mercenaries and soldiers in disguise, in spite of the calls from the EU to make every effort to de-escalate the situation; whereas since the beginning of the crisis the Russian Federation has amassed troops and military hardware in the territory of eastern Ukraine; whereas according to credible sources there are from 6 000 to 8 000 Russian troops stationed on the territory of Ukraine;

F. whereas more than 4 500 people have lost their lives during the conflict, including 1 300 after the ceasefire agreement; whereas the situation in the conflict area is a matter of deep concern both from a humanitarian and a health point of view; whereas more than a million people have abandoned the conflict zone seeking refuge in the Russian Federation or in other Ukrainian regions not affected by the hostilities;

G. whereas on 30 October 2014 the EU managed to broker an agreement on a winter package for the delivery of gas from Russia to Ukraine until the end of March 2015; whereas, despite this agreement, Ukraine is currently experiencing acute energy shortages, with daily electricity switch-offs in some regions and schools closed because of the cold;

H. whereas recent reports published by the UN High Commissioner for Human Rights and Amnesty International have accused both sides of human rights violations, listing crimes such as abduction, torture, extrajudicial killings, the use of heavy weapons against densely populated urban areas and the use of cluster bombs; whereas the Ukrainian authorities have the possibilities and the duty to investigate and prosecute those human rights violations, but not in the territories controlled by the militias backed by Russia, where there is no judiciary and no rule of law;

I. whereas 5 December 2014 marked the 20th anniversary of the signing of the Budapest Memorandum; whereas Ukraine has respected all of its provisions and has taken proactive positions on the issues of nuclear disarmament and non-proliferation, contrary to the Russian Federation which has violated its commitments by occupying part of Ukraine's territory (Crimea and Sevastopol) and by launching armed

aggression in eastern Ukraine; whereas this has created a dangerous precedent, since a state which had guaranteed Ukraine's security as a response to Ukraine's refusal to possess nuclear arsenals boldly violated its sovereignty and territorial integrity, and in general also the idea of advancing global nuclear disarmament and non-proliferation on the basis of international law and multilateral treaties; whereas Russia continues to refuse to implement the Conventional Armed Forces in Europe (CFE) Treaty;

J. whereas, following the new set of EU sanctions on Russia of 12 September 2014 aimed at further tightening access by Russian banks and energy and defence firms to EU capital markets, the EU ambassadors approved additional sanctions against separatists operating in eastern Ukraine at their meeting in Brussels on 27 November 2014, at which, in addition, visa bans and asset freezing were applied to 13 more persons and the assets of five more companies were frozen;

K. whereas according to a recent OSCE report, at least 170 journalists have been attacked and seven more killed in Ukraine since November 2013, with around 80 cases of abductions and arrests of media workers, of whom two are still in detention; whereas acts of vandalism were committed against 30 editorial offices, including those of television channels; whereas Ukrainian soldier Nadya Savchenko, filmmaker Oleg Sentzow and several other Ukrainian citizens are still being held as political prisoners in Russia in defiance of international law;

L. whereas according to the recently published Transparency International 2014 Corruption Perceptions Index, Ukraine remains in the category of highly corrupt countries; whereas according to this organisation the anti-corruption laws adopted recently have merely laid a basis for changes; whereas the rating of Ukraine on this index demonstrates once more the urgent need to fight corruption effectively;

M. whereas the Russian embargo on imports of a wide range of agricultural products from the EU and other countries imposed by the Russian Prime Minister on 6 August 2014 is having a major impact on a number of farming sectors and on countries which export farm products to Russia;

N. whereas on 27 June 2014 the Foreign Affairs Council confirmed the analysis of the Commission that Ukraine has fulfilled all the benchmarks under the first phase of the Visa Liberalisation Action Plan and moved to the second phase of the visa liberalisation process;

1. Welcomes the positive assessment of the general election of 26 October 2014, although some procedural problems were noted, and the subsequent inauguration of the new Verhovna Rada; in this regard, expects the new government and parliament to deliver on their promises by undertaking the necessary political, administrative and economic reforms on the path towards European integration, in line with the aspirations of the EuroMaidan movement;

2. Calls on the Council and the Commission to spare no effort in assisting Ukraine in the adoption and, above all, the implementation of these reforms with a view to paving the way for the full implementation of the EU-Ukraine Association Agreement; welcomes, in this regard, the launch of the European Union Advisory Mission (EUAM), which is tasked to effectively address civilian security sector reform further to the setting-up of the support group that provides a focal point, structure, overview and guidance for the Commission's work in support of Ukraine, while also helping mobilise Member States' expertise and further enhancing coordination with other donors and the international financing institutions;

3. Urges the Commission to take into due consideration the request of the Ukrainian authorities for a third programme of macrofinancial assistance that includes the amount of aid and the issue of conditions in the field of state policy after the delivery of the second tranche within the second programme; stresses that any EU financial assistance must be subjected to stringent conditions as regards the fight against corruption;

4. Expresses concern at the decision of the new government to establish a Ministry of Information Policy,

and calls for an open and transparent debate with a view to clarifying the reasons and adopting eventually measures that are adequate and effective to counter the increasing Russian propaganda; takes the view that one can never beat propaganda with propaganda but that Ukraine urgently needs a reform of the media sector with the aim of establishing a public but not state-controlled broadcasting system and transparent control of private media; warns of the danger of creating state censorship of mass media;

5. Strongly condemns the persistent violations of the ceasefire agreement, committed mainly by Russia-backed separatist militias, and calls on all sides to make all efforts to implement it in full and in good faith with a view to paving the way for the start of a genuine peace process and an inclusive national dialogue; calls, further, on all parties to continue the negotiations in order to clarify all pending issues, with regard, in particular, to the status of the Luhansk and Donetsk regions or part of them within the framework of a united Ukrainian state;

6. Condemns the holding of illegal and illegitimate 'presidential and parliamentary' elections in the 'Donetsk People's Republic' and the 'Luhansk People's Republic' on 2 November 2014, as well as the fact that Russia 'respected them', thus undermining the Minsk arrangements;

7. Reiterates its commitment to the independence, sovereignty and territorial integrity of Ukraine, and stresses that only a genuine political solution to the crisis can pave the way to a full reconciliation between the parties and strengthen the unity of the country;

8. Regrets that the OSCE Special Monitoring Mission is still understaffed and, consequently, underperforming; stresses that this mission has a crucial role to play in resolving the Ukrainian crisis, given the OSCE's experience in dealing with armed conflict and crises and the fact that both the Russian Federation and Ukraine are members of that organisation; calls on the EU Member States, the EU High Representative for Foreign and Security Policy and the European Commission to make all efforts to strengthen and reinforce the OSCE SMM in Ukraine in terms of both personnel and logistics and equipment; emphasises the need to deploy the OSCE monitors without further delay all along the parts of the Ukrainian-Russian border that are currently under the control of the separatists;

9. Urges the Commission to begin preparations for a Donors' Conference for the Donbas, and welcomes in this regard the possibility that the European Investment Bank could allocate EUR 200 million for reconstructing the region; welcomes, furthermore, the decision by the EU to allocate EUR 55 million to the financing the new programme 'Support to Ukraine's Regional Policy', which will support the implementation of the State Regional Development Strategy 2020 approved by the government on 6 August 2014 and will provide for stable and predictable financing for regions and municipalities, as well as strengthened financial autonomy of local authorities, higher competitiveness of regions and improved territorial socio-economic cohesion;

10. Calls on Moscow to stop escalating the situation by halting immediately the flow of weapons, mercenaries and troops in support of the separatist militias and to seal the 400-km part of the frontier that is currently not under the control of Ukraine's border guards; stresses that the way in which Russia has violated the Budapest Agreement, which was seen as an important contribution to global nuclear disarmament and non-proliferation in the 1990s, will have a massive negative impact on the readiness of other countries to accede to the Non-Proliferation Treaty (NPT) and strictly abide by the obligations of the NPT regime ahead of the upcoming 2015 NPT Review Conference;

11. Stresses the responsibility of Russia for the worsening situation of human rights in the illegally annexed Crimea; expresses its deep concern, in this regard, at the fact that 18 000 people have left the region, half of them Crimean Tatars; calls on the Russian authorities to stop the increasing militarisation of the Crimean peninsula, and strongly opposes the intention of Russia to deploy nuclear weapons in this occupied part of Ukraine as announced by the Russian Foreign Minister; reiterates its call on Russia to

immediately release Ukrainian political prisoners, including Nadiya Savchenko, who has recently been elected in absentia to the Verkhovna Rada, and the filmmaker Oleg Sentzow;

12. Welcomes the decision by the Union of European Football Associations (UEFA) to ban Crimean clubs from participating in the tournaments of the Russian Football Union from 1 January 2015, and to ban the Russian Football Union from organising any football matches in the territory of Crimea without the consent of UEFA and the Football Federation of Ukraine; is of the opinion that FIFA should suspend preparations for the 2018 World Cup due to be held in Russia as long as the aggression against Ukraine continues;

13. Calls for the continuation of the current sanctions regime, and urges the Commission to find ways to enhance solidarity among Member States should the crisis with Russia continue; urges the EU Heads of State and Government to make full use of the Union's strong non-military means to prevent the ceasefire agreement from turning eastern Ukraine into another frozen conflict, by keeping up the pressure on Russia as long as the crisis fails to show substantial and irreversible signs of improvement;

14. Strongly deplores the robbery by pro-Russia militants of 20 armoured vehicles delivering cash for social payments in the occupied part of Donbas, but regrets the decision of President Poroshenko to stop these payments to Ukrainian citizens who owing to the conflict are living in dire straits; calls on the Ukrainian authorities to find ways to reach out to them, restoring the provisions for the delivery of pensions and assistance;

15. Calls, furthermore, for increased and more effective humanitarian assistance to internally displaced people (IDPs), with regard in particular to children and the elderly, and for full and unhindered access for the International Committee of the Red Cross to the conflict areas; takes the view, in this respect, that the safe delivery of pensions in the Donetsk and Luhansk regions could be organised with the help of the Red Cross and the OSCE so that the money reaches those who are entitled to those pensions as citizens of Ukraine;

16. Reiterates its view that humanitarian aid to the conflict areas should be delivered by international organisations in order to avoid any political instrumentalisation and misuse of the aid; urges Russia to stop the so-called White Convoys and support the International Red Cross taking over immediately all humanitarian aid activities in eastern Ukraine and also in the territory of Luhansk and Donetsk; is convinced that this is the only way to prevent a humanitarian catastrophe;

17. Welcomes the refusal by the French Government to deliver the first Mistral class helicopter carrier to Russia; urges the French Government to revoke this contract definitively; urges the United Kingdom to immediately withdraw all current arms exports licences to Russia, and equally urges all EU Member States to formally reinforce the EU arms embargo against Russia by not only banning future exports but also cancelling all current contracts and licences;

18. Notes the delivery of non-lethal equipment by some EU Member States to the Ukrainian armed forces; supports the export of non-lethal equipment such as protective vests, communication equipment, mobile field hospitals, or medical assets such as first aid kits, but also technical assistance (e.g. diesel engines); considers the export of such non-lethal equipment legitimate and morally justifiable as it contributes to Ukraine's right to self-defence;

19. Draws attention to the reports of Amnesty International and Human Rights Watch on human rights violations in the conflict areas, and expresses its firm condemnation of the abductions, savage beatings, torture, murder, extrajudicial killings and other serious abuses of human rights and breaches of humanitarian law against activists, protesters, journalists and many other citizens not active in the conflict in eastern Ukraine that have occurred over the last three months, perpetrated mainly by armed separatists

and in some cases also by government forces; welcomes the internal investigation started by the Ukrainian authorities on the alleged use of cluster bombs, and expects, in this regard, timely and precise conclusions; calls on the Government of Ukraine to exercise full control over all volunteer battalions; calls on the Ukrainian government and authorities to continue to investigate and prosecute all crimes against humanity; is deeply concerned that in the territories controlled by a new group of warlords there is no rule of law and even the death penalty is applied;

20. Urges the Ukrainian authorities to engage in an open, transparent and inclusive dialogue with all components of Ukrainian society; calls on them, in this regard, not to delay the necessary and long-awaited reforms at constitutional, political, administrative and economic level; takes the view in this connection that constitutional reform in Ukraine, including the decentralisation process, should be the subject of a broad in-depth discussion involving all elements of Ukrainian society; believes that the most important step is to make the public institutions accountable to the needs of the citizens; stresses that the internal reorganisation of the different levels of administration and governance is the second step, and that the network of lustration initiatives in Ukraine has made good proposals which the government should seriously consider in the reform process;

21. Calls for the immediate and effective implementation of the National Strategy against Corruption; stresses that the fight against this practice must become one of the top priorities of the new government, and expects concrete results in line with the expectations of the people who demonstrated in Maidan Square;

22. Stresses that the signing of the EU-Ukraine Association Agreement on 27 June 2014 is a fundamental step for the deepening of relations between the two parties and the inclusion of Ukraine in the European integration process; reiterates its view, in this respect, that this agreement does not constitute the final goal in EU-Ukraine relations; points out, furthermore, that pursuant to Article 49 TEU, Ukraine – like any other European state – has a European perspective and may apply to become a member of the Union provided it adheres to the principles of democracy, respects fundamental freedoms and human and minority rights, and ensures the rule of law; urges the EU Member States to ratify the AA before the Riga summit;

23. Emphasises that an AA or a DCFTA with the European Union is not connected to NATO integration; stresses, in this regard, that the question of NATO membership is a highly divisive issue in both Ukrainian society and European public opinion; notes that in the given circumstances the VR has voted to end Ukraine's non-aligned status, but expresses concern that all initiatives for NATO membership would increase the tensions in the wider region;

24. Deplores the decision to put on hold the provisional application of the DCFTA until 31 December 2015 due to Russian's threat to further block bilateral trade with Ukraine; stresses that the European Parliament ratified the Association Agreement on 26 October 2014 and that it should not be changed at the request of Russia, and calls on the Commission to discuss solutions to Russian concerns within the margin allowed by the Agreement as ratified; deplores Russia's threat to introduce new sanctions against Ukraine if reforms linked to the alignment to the acquis communautaire go ahead; believes that the opportunity to advance economic integration with the Eurasian Economic Community should be weighed carefully, and that the EU and the Member States should in no way offer this prospect without Russia first making substantial progress on the Ukrainian crisis;

25. Reminds that the DCFTA has to be an opportunity to reform the Ukrainian economy in a sustainable manner, by breaking up vested interests; stresses the importance of providing Ukraine with the necessary financial and technical assistance to implement the DCFTA, as well as of giving priorities to areas where Ukraine can benefit the most from economic integration with the EU;

26. Considers that it is of the utmost importance to reduce the EU's energy dependence on Moscow and on other authoritarian regimes, while putting in place concrete alternatives to help those Member States that currently rely on Russia as single supplier; calls, in this regard, on the Commission to work for the full implementation of the Third Energy Package and to support energy efficiency projects, since this would make additional pipeline capacities redundant, and also to effectively diversify energy sources by developing renewables; urges Member States not to engage their public companies in projects with Russian companies that increase European vulnerability and aim at isolating Ukraine, such as South Stream;

27. Stresses, in this regard, the need for ambitious and binding 2030 targets (40 % for energy efficiency, 45 % for renewables), in order to create jobs in Ukraine and the EU in these sectors, increase security of supply, and fulfil our climate goals while also reducing dependency on fossil fuels;

28. Calls on the EU to consider gas storage, interconnectors and flow-back facilities as strategic assets, and therefore to regulate the share of third-party business contracting parties in those crucial sectors; calls, furthermore, on the Member States to cancel planned agreements with Russia in the energy sector, including those concerning nuclear reactors and fuel technology and waste shipments of nuclear technology, as well as the South Stream gas pipeline;

29. Regrets that the Ukrainian authorities did not adopt in due time the necessary measures to tackle the energy crisis currently affecting the country; calls for a radical restructuring of the Ukrainian energy system, and urges the Commission to prepare an ad hoc financial package aimed at aligning the Ukrainian energy sector with EU standards, with particular regard to efficiency and renewables; takes the view that financial support from the EU for the Ukrainian energy sector should be conditioned at least on the systematic installation of metering equipment;

30. Welcomes the adoption by the Commission of the 4th progress report on the implementation by Ukraine of the Visa Liberalisation Action Plan and the decision of the Council to move to the second phase; insists on the quick finalisation of the visa-free regime between the EU and Ukraine, as a concrete response to the European aspirations of the people who demonstrated in Maidan Square; reiterates its call, in the meantime, for the immediate introduction of temporary, very simple and inexpensive visa procedures;

31. Recalls, nevertheless, that respect for fundamental rights of minorities is conditional for the Visa Liberalisation Process, and therefore calls on the Ukrainian authorities to complete anti-discrimination legislation in line with European standards, including legislation on discrimination on grounds of sexual orientation;

32. Calls upon the Commission to take the necessary urgency measures, in the wake of the Russian embargo on EU agricultural products, to stabilise the agricultural markets concerned, giving priority to improved use on internal markets and processing products where possible, and avoiding market withdrawal (destruction) and subsidised exports to third countries, especially developing countries; expects, in this regard, solidarity and correct trade conduct from third countries closely linked to the EU,with regard in particular to candidate countries;

33. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States, the President, Government and Parliament of Ukraine, the Council of Europe, the OSCE and the President, Government and Parliament of the Russian Federation.

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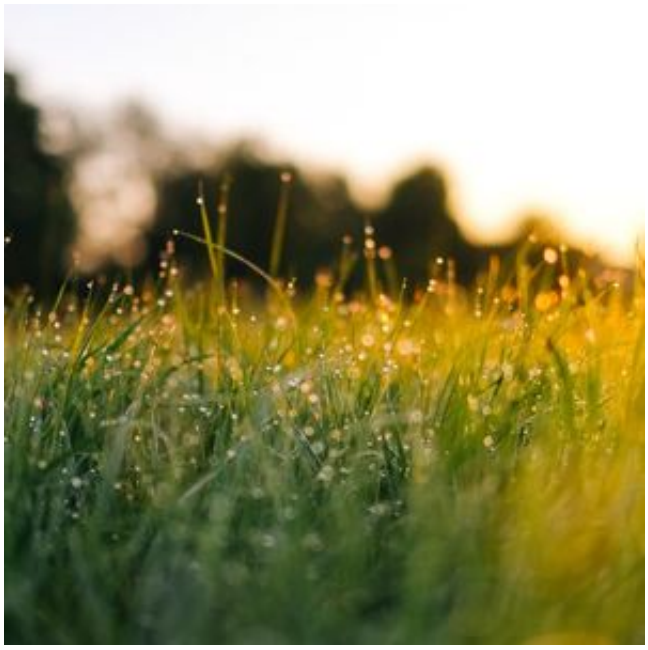
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